

Craig A. Hansen (CA Bar No. 209622)
Email: craig@hansenlawfirm.net
Stephen C. Holmes (CA Bar No. 200727)
Email: steve@hansenlawfirm.net
Philip E. Yeager (CA Bar No. 265939)
Email: phil@hansenlawfirm.net
Collin D. Greene (CA Bar No. 326548)
Email: collin@hansenlawfirm.net
HANSEN LAW FIRM, P.C.
75 E. Santa Clara Street, Suite 1150
San Jose, CA 95113-1837
Telephone: (408) 715 7980
Facsimile: (408) 715 7001

Attorneys for Plaintiffs
Temujin Labs Inc., a Delaware corporation,
and Temujin Labs Inc., a Cayman Islands
corporation.

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

TEMUJIN LABS INC., a Delaware corporation, and TEMUJIN LABS INC., a Cayman Islands corporation,

Plaintiffs,

V.

TRANSLUCENCE RESEARCH, INC., a Delaware corporation, BENJAMIN FISCH, CHARLES LU, BENEDIKT BÜNZ, NATHAN MCCARTY, FERNANDO KRELL, PHILIPPE CAMACHO CORTINA, BINYI CHEN, AND LUOYUAN (ALEX) XIONG, and DOES 1-20, inclusive,

Defendants.

EDWARD HAN (SB# 196924)
edwardhan@paulhastings.com
JESSICA E. MENDELSON (SB# 280388)
jessicamendelson@paulhastings.com
PAUL HASTINGS LLP
1117 S. California Avenue
Palo Alto, California 94304
Telephone: (650) 320-1800
Facsimile: (650) 320-1900

JENNIFER BALDOCCHI (SB#168945)
jenniferbaldocchi@paulhastings.com
TIMOTHY D. REYNOLDS (SB# 274589)
timothyreynolds@paulhastings.com
PAUL HASTINGS LLP
515 South Flower Street, 25th Floor
Los Angeles, California 90071
Telephone: (213) 683-6000
Facsimile: (213) 627-0705

Attorneys for Defendants
Translucence Research, Inc., Benjamin Fisch,
Charles Lu, Nathan McCarty, Benedikt Bünz,
and Binyi Chen

CASE NO.: 5:21-cv-09152-NC

**STIPULATION AND JOINT REQUEST TO
CONTINUE CASE MANAGEMENT
CONFERENCE AND RELATED
DEADLINES; *MODIFIED ORDER***

Courtroom: Courtroom 5 – 4th Floor
Judge: Hon. Nathanael Cousins

Complaint Filed: November 24, 2021

1 Pursuant to Civil Local Rules 6-1 and 6-2, Plaintiffs Temujin Labs Inc. (Delaware) and
 2 Temujin Labs Inc. (Cayman) and Defendants Translucence Research, Inc., Benjamin Fisch,
 3 Charles Lu, Nathan McCarty, Benedikt Bünz, and Binyi Chen (collectively “Parties”) hereby
 4 stipulate and request as follows:

5 **RECITALS**

6 WHEREAS, the Parties requested and the Court entered an order on March 16, 2022
 7 continuing the Initial Case Management Conference to June 14, 2022 (“Order Continuing CMC”)
 8 (Dkt. No. 21);

9 WHEREAS, Defendants Translucence Research, Inc., Charles Lu, Benjamin Fisch, and
 10 Nathan McCarty timely filed a Motion to Dismiss the Complaint, or in the Alternative, to Stay
 11 Case on March 18, 2022 (“Motion to Dismiss/Stay”) (Dkt. No. 26);

12 WHEREAS, the Court determined that the Motion to Dismiss/Stay was suitable for
 13 disposition without oral argument and took the hearing off calendar on May 17, 2022 (Dkt. No.
 14 39);

15 WHEREAS, the Parties requested and the Court entered an order on May 24, 2022
 16 continuing the Initial Case Management Conference to October 18, 2022 (Dkt. No. 41);

17 WHEREAS, on October 11, 2022, the Court issued an Order that vacated the Case
 18 Management Conference set for October 18, 2022 and ordered the Parties to meet and confer to
 19 discuss whether they consent to having Magistrate Judge Cousins preside over this case. (Dkt.
 20 No. 46). The Court further ordered that if the Parties do consent, “they shall file a stipulation and
 21 proposed order within seven days of the date of this order.” (*Id.*)

22 WHEREAS, the Parties consented to have Magistrate Judge Cousins preside over this
 23 case and the Court reassigned the case to Magistrate Judge Cousins on October 21, 2022. (Dkt.
 24 No. 50).

25 WHEREAS, the Clerk set the Case Management Conference for November 30, 2022 and
 26 ordered a Joint Case Management Conference Statement to be filed by November 23, 2022. (Dkt.
 27 No. 51).

28 WHEREAS, Defendants’ Motion to Dismiss/Stay was set for hearing on January 4, 2023

1 at 1:00 P.M. (Dkt. Nos. 52-53).

2 WHEREAS, lead counsel for Plaintiffs is supposed to be in day 3 of a trial scheduled to
3 start on November 28, 2022. Hansen Decl. ¶ 2. Pursuant to Civil Local Rule 16-10(a), lead trial
4 counsel for each party must attend the initial Case Management Conference.

5 WHEREAS, the Parties recognize that holding the Case Management Conference or
6 requiring the Parties to meet the other deadlines related thereto while the Motion to Dismiss is
7 pending is inefficient and may unnecessarily waste judicial and party resources, and respectfully
8 request that the Court enter an order confirming the terms of the stipulation as set forth below.
9 The Parties do not believe the requested time modification will have an effect on the schedule for
10 the case as no trial date has been set and no discovery has been served in this action.

11 NOW THEREFORE THE PARTIES STIPULATE AND REQUEST AS FOLLOWS:

12 1. The November 30, 2022 Case Management Conference shall be continued until
13 thirty (30) days after the Court's decision concerning the Motion to Dismiss.

14 2. All other deadlines related to the November 30, 2022 Case Management
15 Conference hearing shall be continued to correspond to any newly set Case Management
16 Conference. The Parties shall meet and confer to set reasonable dates that correspond to such
17 newly set Case Management Conference.

18

19

20

21

22

23

24

25

26

27

28

//

1 DATED: November 16, 2022

HANSEN LAW FIRM, P.C.

2 By: /s/ Craig A. Hansen
3 CRAIG A. HANSEN

4 Attorneys for Plaintiffs
5 Temujin Labs Inc., a Delaware corporation, and Temujin
6 Labs Inc., a Cayman Islands corporation

7 DATED: November 16, 2022

8 PAUL HASTINGS LLP

9 By: /s/ Edward Han
10 EDWARD HAN

11 Attorneys for Defendants
12 Translucence Research, Inc., Benjamin Fisch, Charles
13 Lu, Nathan McCarty, Benedikt Bünz, and Binyi Chen

14 **ORDER**

15 The Case Management Conference set for November 20, 2022, is continued to
16 February 1, 2023, at 10:00 a.m. by telephone. Joint case management statement due January 25,
17 2023.

18 Entered this 16 day of November, 2022.



1 Craig A. Hansen (CA Bar No. 209622)
2 Email: craig@hansenlawfirm.net
3 Stephen C. Holmes (CA Bar No. 200727)
4 Email: steve@hansenlawfirm.net
5 Philip E. Yeager (CA Bar No. 265939)
6 Email: phil@hansenlawfirm.net
7 Collin D. Greene (CA Bar No. 326548)
HANSEN LAW FIRM, P.C.
75 E. Santa Clara Street, Suite 1150
San Jose, CA 95113-1837
Telephone: (408) 715 7980
Facsimile: (408) 715 7001

8 Attorneys for Plaintiffs
9 Temujin Labs Inc., a Delaware corporation, and
Temujin Labs Inc., a Cayman Islands corporation.

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA**

13 TEMUJIN LABS INC., a Delaware
14 corporation, and TEMUJIN LABS INC., a
Cayman Islands corporation,

15 | Plaintiffs,

16 || v.

17 TRANSLUCENCE RESEARCH, INC.,
18 a Delaware corporation, BENJAMIN
19 FISCH, CHARLES LU, BENEDIKT
BÜNZ, NATHAN MCCARTY,
FERNANDO KRELL, PHILIPPE
CAMACHO CORTINA, BINYI CHEN,
20 AND LUOYUAN (ALEX) XIONG, and
DOES 1-20, inclusive,

Defendants.

CASE NO.: 5:21-CV-09152-NC

**DECLARATION OF CRAIG A. HANSEN
IN SUPPORT OF STIPULATION AND
JOINT REQUEST TO CONTINUE CASE
MANAGEMENT CONFERENCE AND
RELATED DEADLINES;
[PROPOSED] ORDER**

Courtroom: Courtroom 5 – 4th Floor
Judge: Hon. Nathanael Cousins

Complaint Filed: November 24, 2021

1 I, Craig A. Hansen, declare as follows:

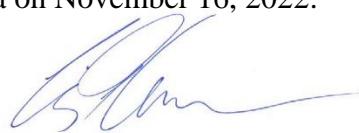
2 1. I am the managing attorney of the Hansen Law Firm P.C. ("HLF"), counsel for
3 Plaintiffs Temujin Labs, Inc., a Cayman Islands corporation, and Temujin Labs, Inc., a Delaware
4 corporation (collectively, "Plaintiffs"). I have personal knowledge of the matters stated in this
5 Declaration and, if called upon as a witness, would competently testify to them.

6 2. I am supposed to be in day 3 of a trial scheduled to start on November 28, 2022 in
7 Santa Clara County Superior Court. The Case Management Conference in this matter is set for
8 November 30, 2022.

9 3. HLF and counsel for Defendants have met and conferred and agreed: (1) to
10 continue the Case Management Conference from November 30, 2022 until thirty (30) days after
11 the Court's decision concerning the Motion to Dismiss the Complaint, or in the Alternative, to
12 Stay Case (Dkt. No. 26) filed by Defendants Translucence Research, Inc., Charles Lu, Benjamin
13 Fisch, and Nathan McCarty; and (2) All other deadlines related to the November 30, 2022 Case
14 Management Conference hearing shall be continued to correspond to any newly set Case
15 Management Conference.

16 4. I do not believe that the requested time modification would have a prejudicial
17 effect on the schedule for the case. Trial has not been set in the case, and no discovery has been
18 conducted yet.

19 I declare under penalty of perjury under the laws of the United States of America that the
20 foregoing statements are true and correct to the best of my knowledge and belief, and that this
21 Declaration was signed in Los Altos Hills, California on November 16, 2022.



22
23
24 Craig A. Hansen
25
26
27
28